

**UNITED STATES OF AMERICA,**

**vs.**

**ADAM LAWRENCE RANDOLPH, IV,**

**Defendant.**

**THIS MATTER** comes before the Court on Defendant's pro se Motion for Compassionate Release. (Doc. No. 44). Defendant seeks release based on the COVID-19 pandemic and the fact that he purportedly suffers from a hip ailment that will require surgery. *Id.*

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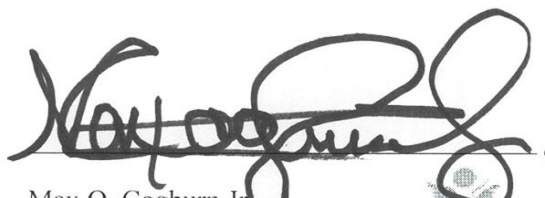
imprisonment at this time. See, e.g., United States v. Vigna, No. 16-CR-786, 2020 WL 1900495, at \*6 (S.D.N.Y. Apr. 17, 2020) (declining to address the exhaustion question and requiring a defendant to file a compassionate release request with the Bureau).

Additionally, Defendant has not shown he suffers from any illnesses that place him at a particular increased risk from the COVID-19 pandemic. The Court shares the view of the Third Circuit that “the mere existence of COVID-19 in society and the possibility that it may spread to a particular prison alone cannot independently justify compassionate release, especially considering [the Bureau]’s statutory role, and its extensive and professional efforts to curtail the virus’s spread.” Raia, 954 F.3d at 597. Therefore, if Defendant chooses to refile his motion after exhausting available remedies, he should supply any supporting evidence that can offer showing why he in particular deserves compassionate release—including evidence of his personal health, criminal history, prison disciplinary record, and likely danger to the community if released.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that Defendant’s pro se Motion for Compassionate Release, Doc. No. 44, is **DENIED**.

Signed: August 10, 2020



Max O. Cogburn Jr.  
United States District Judge